



International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations of
International Humanitarian Law
Committed in the Territory of the
former Yugoslavia since 1991

Case No. IT-03-67-R77.3-A

Date: 15 March 2012

Original: English

IN THE APPEALS CHAMBER

Before: Judge Arlette Ramaroson, Pre-Appeal Judge

Registrar: Mr. John Hocking

Order: 15 March 2012

PROSECUTOR

v.

VOJISLAV ŠEŠELJ

PUBLIC

**ORDER STAYING DEADLINES FOR RESPONDENT'S BRIEF
AND APPELLANT'S BRIEF IN REPLY**

Amicus Curiae Prosecutor:

Mr. Bruce MacFarlane

Mr. Vojislav Šešelj

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1. I, **Arlette Ramaroson**, Judge of the Appeals Chamber of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the former Yugoslavia since 1991 (“Appeals Chamber” and “Tribunal”, respectively) and Pre-Appeal Judge in this case, am seised of the “*Amicus Curiae* Prosecutor’s Motion to Strike the Appellant’s Brief and Urgent Motion for Stay of Deadline”, filed by the *Amicus Curiae* Prosecutor on 13 March 2012 (“Motion”).

2. In the Motion, the *Amicus Curiae* Prosecutor requests that the appellant’s brief of Vojislav Šešelj (“Šešelj”) be struck in total because it is in violation of the consolidated briefing schedule set forth in the “Decision on Vojislav Šešelj’s Motion for Stay of Time-Limits and Order on Consolidated Briefing Schedule” (“Consolidated Briefing Schedule”), issued on 11 January 2012. In the alternative, the *Amicus Curiae* Prosecutor requests that the portions of the appellant’s brief that are in excess of the word limit be excised or that Šešelj be instructed to re-file his appellant’s brief in compliance with the word limit. In addition, the *Amicus Curiae* Prosecutor requests a stay of the deadline for his respondent’s brief pending the outcome of the Motion.¹

3. I note that Šešelj has filed his appellant’s brief well in excess of the word limit provided for in the Consolidated Briefing Schedule and the Practice Direction on the Length of Briefs and Motions.² I further note that the *Amicus Curiae* Prosecutor’s respondent’s brief is due on 19 March 2012 and that it would not be in the interests of judicial economy for the *Amicus Curiae* Prosecutor to file a respondent’s brief prior to a determination on the Motion. I therefore find that it is appropriate to stay the deadlines for the filing of the *Amicus Curiae* Prosecutor’s respondent’s brief and, concomitantly, the deadline for Šešelj’s reply brief, pending a decision upon the Motion. I also find it appropriate in the present circumstances to issue this order without a response because this order simply preserves the *status quo* of this matter and because no prejudice will incur to Mr. Šešelj as a result of staying the deadlines pending a determination on the Motion. New deadlines will be provided to the parties in due course.

¹ Motion, para. 20.

² IT/184/Rev.2, 16 September 2005, para. (C)(2).

4. For the foregoing reasons and pursuant to Rules 54, 77, 107, and 127 of the Rules of Procedure and Evidence of the Tribunal; paragraphs 4 to 8 of the Practice Direction on Procedure for the Filing of Written Submissions in Appeal Proceedings Before the International Tribunal;³ and paragraph (C)(2) of the Practice Direction on the Length of Briefs and Motions,⁴ I hereby **STAY** the deadlines for the filing of the *Amicus Curiae* Prosecutor's respondent's brief and Šešelj's brief in reply.

Done in English and French, the English text being authoritative.

Dated this fifteenth day of March 2012,
At The Hague,
The Netherlands.



Arlette Ramaroson
Pre-Appeal Judge

³ IT/155/Rev.3, 16 September 2005.

⁴ IT/184/Rev.2, 16 September 2005.